

DECLARATORY
Improvement Res. No. ~~1287~~ 1287-1970

For the Vacation of the sixteen foot wide utility easement over the easterly eight feet of Lot No. 15 and the westerly eight feet of Lot No. 16, all in Hanna-Creighton Subdivision, Section 2, as recorded in Plat Book 31-Page 89.

Resolution Adopted: May 13, 1970

Confirmed: May 13, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

JUL 9 - 1970

B.O.93-70

DECLARATORY RESOLUTION NO. 1287-1970

For the Vacation of the sixteen (16) foot wide utility easement over the easterly eight (8) feet of Lot No. 15 and the westerly eight (8) feet of Lot No. 16, all in Hanna-Creighton Subdivision, Section 2, as recorded in Plat Book 31 - Page 89.

ADOPTED: May 13, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

NOTICES MAILED:

HEARING ON CONFIRMATION:

CONFIRMED: May 13, 1970

ASSESSMENT ROLL ORDERED: May 13, 1970

ASSESSMENT ROLL APPROVED: June 11, 1970

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs., 7/9/70 3:30

NOTICE SERVED: June 26, 1970

ASSESSMENT ROLL CONFIRMED July 9, 1970

For the Vacation — Opening — Condemnation of right of way for utility purposes of the sixteen (16) foot wide utility easement over the easterly eight (8) feet of Lot No. 15 and the westerly eight (8) feet of Lot No. 16, all in Hanna-Creighton Subdivision, Section 2, as recorded in Plat Book 31 — Page 89.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the sixteen (16) foot wide utility easement over the easterly eight (8) feet of Lot No. 15 and the westerly eight (8) feet of Lot No. 16, all in Hanna-Creighton Subdivision, Section 2, as recorded in Plat Book 31 — Page 89, Recorder's Office, Allen County, Indiana.

All as shown by a plan of such proposed Vacation — Opening — Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation — Opening — Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation — Opening — Condemnation of right of way for utility purposes is described as follows: Lots 15 and 16, Hanna Creighton Subdivision, Section 2. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described easement vacation are situated in the southeast quarter of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS

13

DAY OF

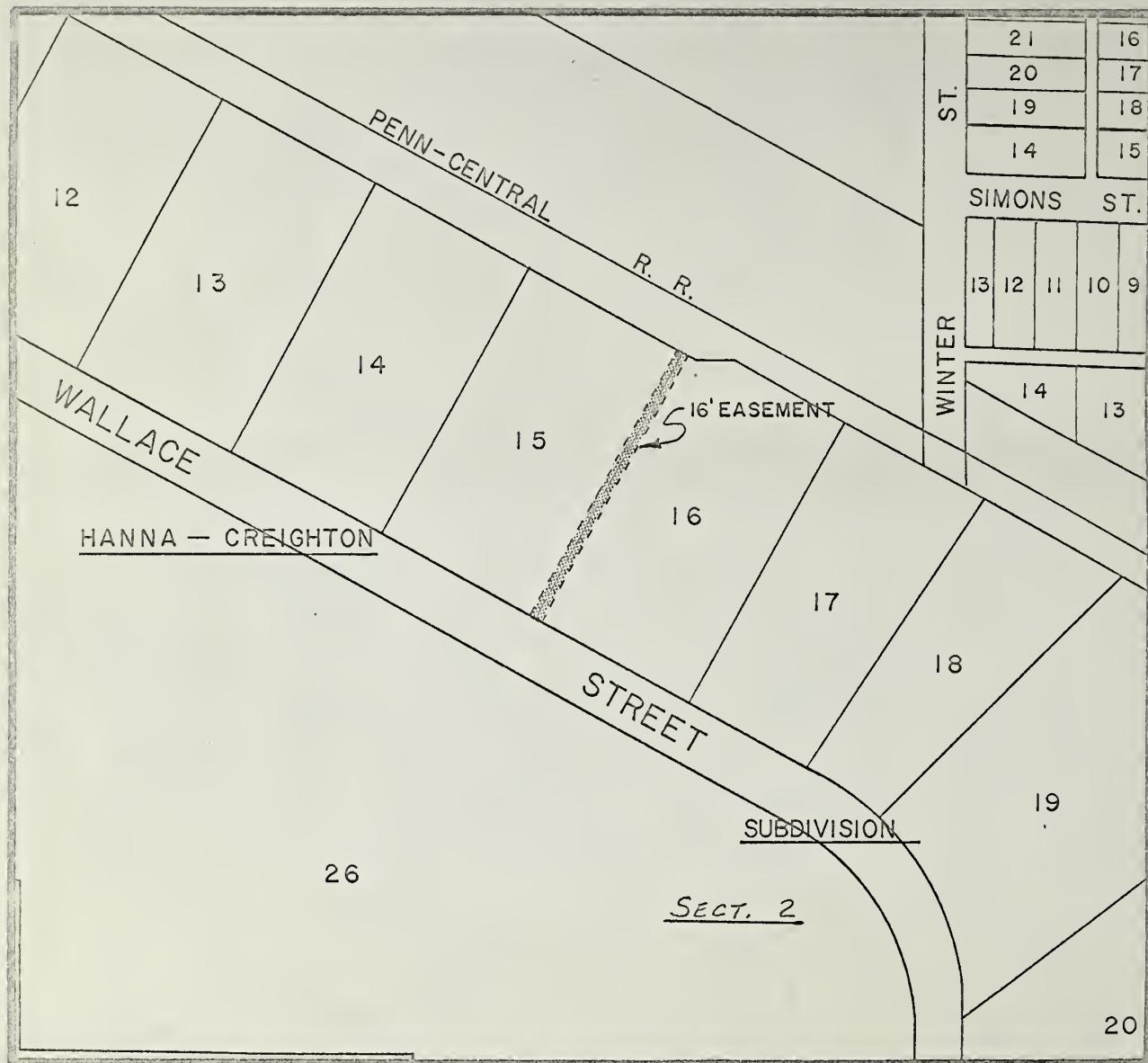
May

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Attest:

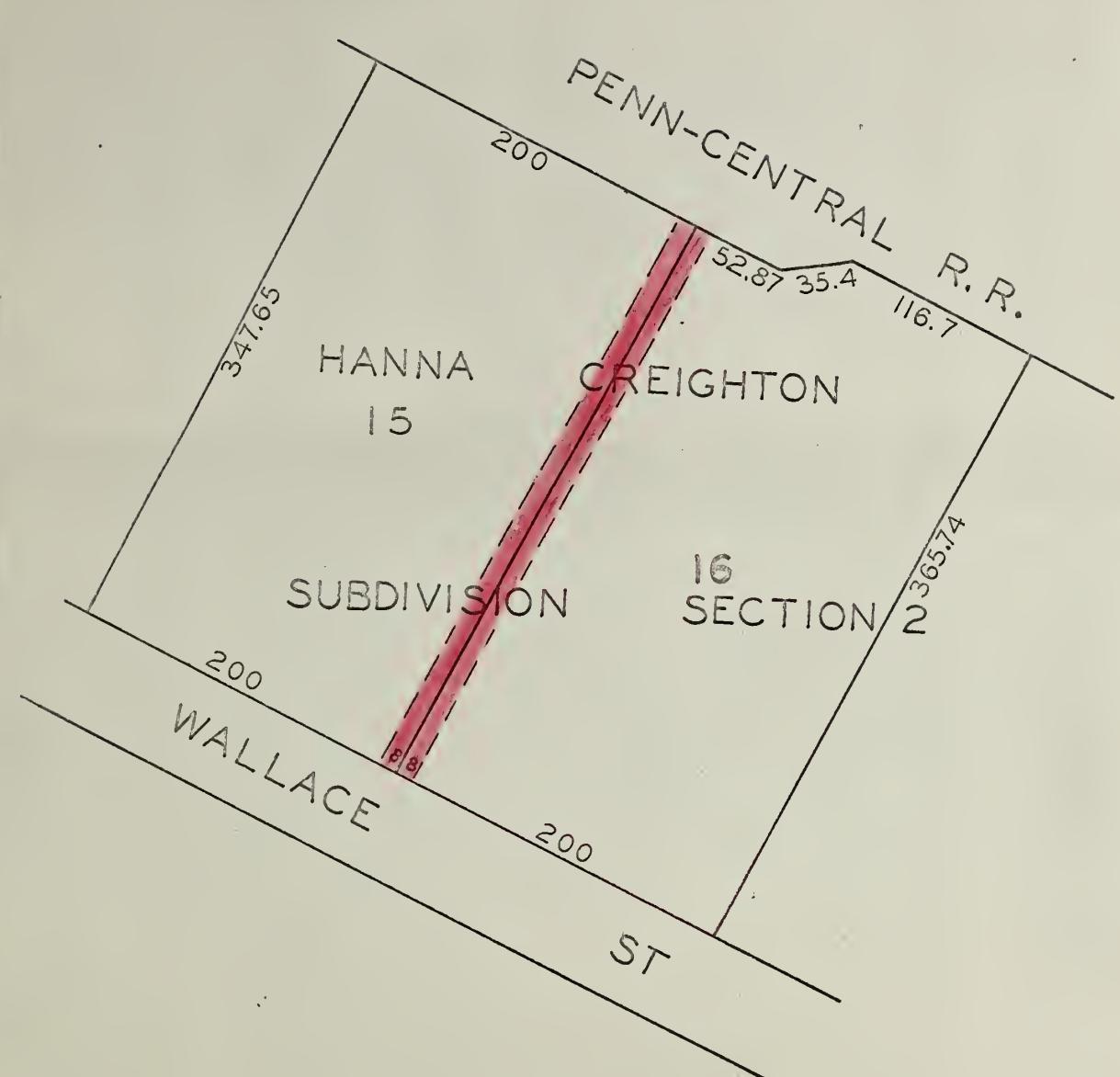
Secretary Board of Public Works.

Frederick D. Freeman
Robert D. Palmer
George
Board of Public Works.



EASEMENT TO BE VACATED

1287



■ UTILITY EASEMENT TO BE VACATED

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

55-82-10

B.O.93-70

Date May 4, 1970

To City Engineer

Subject VACATION - Easement Hanna-Creighton Sub.

Received petition to vacate a sixteen foot easement between Lots 15 and 16 as recorded in the plat of Hanna-Creighton Subdivision, Section II.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. copy of petition

Signed _____

Reply:

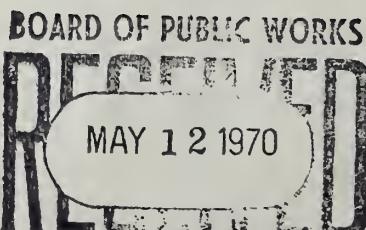
May 11, 1970

A Declaratory Resolution, drawings and property ownership list are attached.

It will not be necessary to hold a public hearing on this easement vacation because the Redevelopment Commission signed a waiver, which is also attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.



Signed _____

1287

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS



55-145-5

FORT WAYNE 2, INDIANA

NOTED

55-96-8

Date May 13, 1970

F.S.E.
 R.W.D.
 G.F.G.

B.0.93-70

To City Engineer

Subject Dec. 1287-1970 Utility Easement Hanna-Creighton Subdivision.

Date _____

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman

Robert W. Dahman

George F. Gable

BOARD OF PUBLIC WORKS

ic

encl. Res. & P. O. List

Signed _____

Reply:

June 9, 1970

Assessment roll of benefits and damages completed and attached.

BOARD OF PUBLIC WORKS

RECEIVED
JUN 10 1970
RECEIVED

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a utility easement described as follows, to wit:

The sixteen (16) foot wide utility easement over the easterly eight (8) feet of Lot No. 15 and the westerly eight (8) feet of Lot No. 16, all in Hanna-Creighton Subdivision, Section 2, as recorded in Plat Book 31 - Page 89, Recorder's Office, Allen County, Indiana.

which proposed vacation is set out in Declaratory Resolution No. 1287-1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 11th day of May, 1970.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By 
Hassel Wolfe, Executive Director

DECLARATORY

Improvement Resolution No. 1287 - 1970 For The Vacation Of The Sixteen (16) Foot Wide Utility Easement

OVER THE EASTERLY EIGHT (8) FEET OF LOT NO. 15 AND THE WESTERLY EIGHT (8) FEET OF LOT NO. 16, ALL IN HANNA-CREIGHTON SUBDIVISION, SECTION 2, AS RECORDED IN PLAT BOOK 31 - PAGE 89.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O.L.	
1	CITY OF FORT WAYNE, DEPARTMENT OF REDEVELOPMENT	425 S. Calhoun St.	15			HANNA-CREIGHTON, SUB., SECT. 2
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